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Scope of Services

Project Title: Ash Grove Cement- Dolphin Replacement Project

Project Location: Seattle, WA

Date of Scope: November 15, 2004

Anchor Environmental, L.L.C. (Anchor) was asked to submit a revised scope of services for permitting support for two projects at the Ash Grove Cement Company (Ash Grove) facility, located on the Duwamish Waterway: urgent repairs to protect the loading dock during barge landings, and maintenance dredging at the same structure.

TASK 1 - URGENT REPAIRS TO THE BARGE LOADING DOCK

Project Understanding: It is our understanding that Peratrovich Nottingham Drage (PND), the structural engineer, will work with Anchor and Ash Grove Cement to find a repair solution that will fall under a shoreline exemption from the City of Seattle. Based on this assumption, the following permits/approvals are likely required:

- A Shoreline Substantial Development Permit exemption from the City of Seattle and a SEPA exemption letter from the City of Seattle.
- Hydraulic Project Approval (HPA) from Washington Department of Fish and Wildlife (WDFW) for in-water work.
- A U.S. Army Corps of Engineers (Corps) Nationwide Permit 3.
- Endangered Species Act (ESA) consultation will be required. Because the project lies in a Superfund site, NOAA Fisheries and the U.S. Fish and Wildlife Service (USFWS) will review the project individually, but can use the expedited Specific Project Information Form (SPIF) process.
- Support of potential appeals to any environmental approval or permit are not included in this scope of work.

Subtask A. Obtain Shoreline Exemption

Assumptions:

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- The project solution will be shoreline exempt and SEPA exempt.
- PND will prepare permit drawings to accompany the exemption request.
- Anchor will review and comment on permit drawings.
- The City will respond with additional questions that Anchor will respond to in writing.
- Building permits, a noise variance, or other non-environmental permits from the City of Seattle are not included in this scope of work.
- Additional scope may need to be negotiated if the City of Seattle has significant comments or information requests.

Deliverables:

- Draft and final exemption request letters for the City of Seattle

Cost Estimate: \$1,000

Subtask B. Obtain an HPA from WDFW

Assumptions:

- Anchor will prepare a Joint Aquatic Resources Permit Application (JARPA) for submittal to WDFW.
- Anchor will respond to any questions from WDFW in writing.

Deliverables

- Draft and final JARPA (which will require the SEPA determination from the City of Seattle)

Cost Estimate: \$2,200

Subtask C. Obtain Corps Permit

Assumptions:

- The Corps will not require an individual Biological Evaluation for this work, but instead would allow Ash Grove to submit a SPIF form.

Deliverables:

- Draft and Final SPIF form
- Draft and final written responses to the resource agencies

Cost Estimate: \$3,000

TASK 1 - Total Cost Estimate: \$6,200

TASK 2 - MAINTENANCE DREDGING AT THE LOADING DOCK

Project Understanding- It is our understanding that Ashgrove Cement would like to conduct maintenance dredging at its barge loading facility. This task is in support of permit acquisition for this activity. Based on this assumption, the following permits/approvals are likely required:

- A Shoreline Substantial Development Permit exemption from the City of Seattle and a SEPA exemption letter from the City of Seattle.
- HPA from Washington Department of Fish and Wildlife (WDFW) for in-water work.
- A U.S. Army Corps of Engineers (Corps) Permit
- A Biological Evaluation for submittal to NOAA Fisheries and USFWS for ESA consultation will be required.
- Support of potential appeals to any environmental approval or permit is not included in this scope of work.

This cost estimate assumes that Ash Grove Cement has implemented spill containment measures to reduce and control spillage at its facility as required under its existing Corps maintenance dredging permit (2001-1-00155) Special Condition e., and HPA (log number ST-F1913-02).

Subtask A. Obtain Shoreline Exemption

Assumptions:

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- Maintenance dredging to a previously established depth will be exempt from the City of Seattle SSDP process.
- The City of Seattle will issue a SEPA Determination of Non-significance (DNS)
- PND will prepare permit drawings to accompany the exemption request.
- Anchor will review and comment on permit drawings.
- The City will respond with additional questions that Anchor will respond to in writing.

- Building permits, a noise variance, or other non-environmental permits from the City of Seattle are not included in this scope of work.
- Additional scope may need to be negotiated if the City of Seattle has significant comments or information requests.

Deliverables:

- Draft and final exemption request letters for the City of Seattle

Cost Estimate: \$1,000

Subtask B. Obtain an HPA from WDFW

Assumptions:

- Anchor will prepare a Joint Aquatic Resources Permit Application (JARPA) for submittal to WDFW.
- Anchor anticipated that WDFW will have concerns about the project based on previously issued permits.
- Anchor will respond to any questions from WDFW in writing.
- Anchor will attend one meeting with WDFW.

Deliverables

- Draft and final JARPA (which will require the SEPA determination from the City of Seattle).

Cost Estimate: \$3,500

Subtask C. Obtain Corps Permit

Assumptions:

- The Corps will require an individual Biological Evaluation for maintenance dredging.
- NOAA Fisheries, USFWS, and the Corps will respond with questions about the project. Anchor will prepare a written response to agency questions.
- Anchor will be able to use previously prepared documents in the Duwamish Waterway to prepare the BE.

Deliverables:

- Draft and Final BE
- Draft and final written responses to the resource agencies

Cost Estimate: \$8,000

Subtask D. Project Management

Assumptions:

- This task includes coordination, project updates, and other administrative tasks in support of the project
- There are no pre-existing land use issues that would preclude installation of the proposed dolphin (e.g., permit violations, non-conforming uses on the site)

Cost Estimate: \$500

TASK 2 - Total Cost Estimate: \$13,000